



427.095

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
S. AUVIN et al
Serial No.: 10/532,731
Filed: April 26, 2005
For: NOVEL...MEDICAMENTS

: Examiner: Habte, Kahse
: Group: 1624
: Hedman and Costigan
1185 Avenue of the Americas
New York, NY 10036
November 6, 2008

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office action of October 31, 2008, Applicants are returning a copy of the Notice as well as a copy of the return receipt card of October 23, 2008 showing that the addition of fee was filed on that day.

Respectfully submitted,


Charles A. Muserlian #19,683
Attorney for Applicants
Tel. 212 302 8989

CAM:mlp
Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,731	04/26/2005	Serge Auvin	427.095	6471

47888 7590 10/31/2008
HEDMAN & COSTIGAN P.C.
1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036



EXAMINER

HABTE, KAHSAY

ART UNIT	PAPER NUMBER
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1624

MAIL DATE	DELIVERY MODE
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10/31/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

RECEIVED

NOV - 5 2008

CHARLES A. MUSERLIAN

427.095

In re application of S. Auvin
Serial No.: 10/532,731
Filed: April 26, 2005
For: Novel .. Medicaments

Received: Letter re increase
PTO Form 2038 for \$70
Return postcard

CAM:mlp
10/21/08





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Commissioner for Patents
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HEDMAN & COSTIGAN P.C.
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036

Mail Date: 10/31/08

Application Number: 10/532731

NOTICE TO PAY BALANCE OF ISSUE FEE

The issue fee payment filed on 10/07/08 has been received. Although the fee paid in the Notice of Allowance was paid, new patent fees went into effect on October 2, 2008 after the mailing date of the Notice. In accordance with Sections 801 and 803 of the Consolidated Appropriations Act, 2005 (H.R. 4818) "the provisions of this title shall take effect on the date of enactment of this Act. . . the provisions of section 801 shall apply to all patents, whenever granted, and to all patent applications pending on or filed after the effective date." See also, Revision of Patent Fees for Fiscal Year 2009-Final Rule, 73 Fed. Reg. 47534 (Aug. 14, 2008) and Consolidated Security, Disaster Assistance and Continuing Appropriations Act, 2009 (H.R. 2638). Because the issue fee was paid on or after October 2, 2008, the new issue fee was due instead of the amount specified in the Notice of Allowance.¹

In accordance with 37 CFR 1.18, applicant is given a time period of **THREE (3) MONTHS** from the mailing date of this notice during which to pay the **BALANCE DUE** indicated below. The balance due is the difference between the issue fee required on the date that the correct issue fee is paid and the amount that was previously paid. This three-month time period may not be extended. If the balance due is not paid before the expiration of the three-month period, the application will become abandoned (if not issued) or the patent will lapse (if issued) at the termination of the three-month period.

App. Type	Column A Issue Fee Req. large entity / small entity	Column B Issue Fee PAID	Balance Due. Col. A minus Col. B
UTILITY or REISSUE	\$1,510.00 / \$755.00	\$ 1440.00	\$ 70.00
DESIGN	\$860.00 / \$430.00	\$	\$
PLANT	\$1,190.00 / \$595.00	\$	\$

/ Betty Powell /
Office of Data Management
Office: 703-308-9250x160
Fax: 571-270-9937

A copy of this notice MUST be returned with payment.
CERTIFICATE OF MAILING

¹ Applicants should check the current fee schedule posted on the USPTO Internet web site at: <http://www.uspto.gov/main/howtofees.htm> before paying the balance due in order to ensure that the correct issue fee is paid. If applicable, fees may also be paid by EFS Web, Credit Card or Deposit Account.

I hereby certify that this notice and the required additional fee are being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Printed Name: _____ Signature: _____